

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: June 25, 2008
POSITION: Oppose

BILL NUMBER: SB 1592
AUTHOR: D. Perata
RELATED BILLS: SB 1425

BILL SUMMARY: Education Data: Standing Committee

This bill would require: 1) the Superintendent of Public Instruction to establish a Data Review and Consolidation Committee (consisting of representatives of the Superintendent of Public Instruction, State Board of Education, Secretary for Education, Finance, State Privacy Ombudsman, Legislative Analyst's Office and an unspecified makeup of public members) that would: a) establish privacy and access protocols; b) make recommendations and provide general guidance to the Superintendent of Public Instruction and State Department of Education; c) review and approve data requests consistent with law; and d) consolidate reports to streamline administration to the extent possible. This bill would also permit local education agencies (LEAs) to be nonresponsive to data requests unless the request has been approved by the committee. The committee would be funded within existing resources unless additional state or private resources are budgeted or acquired.

FISCAL SUMMARY

The Department of Finance estimates annual General Fund costs of \$250,000 to administer and staff the Data Review and Consolidation (based on two full time staff to support the committee and administrative expenses for conducting quarterly public meetings). Additionally, Finance estimates that this bill could create Proposition 98 General Fund cost pressures in the low millions of dollars to fund the committee's recommendations for data privacy and access.

COMMENTS

The Department of Finance opposes this bill for the following reasons:

- This bill is similar to SB 1425, which the Department of Finance believes may be a more viable option for establishing privacy and access protocols for education related data.
- This bill may not meet Federal Education Rights and Privacy Act requirements since it allows the proposed committee to establish privacy and access protocols that may not be consistent with federal law.
- The potential cost of this bill could exceed an amount that is reasonably absorbable. We estimate that General Fund costs of up to \$250,000 could result. The budget does not contain funding for this purpose.
- Representation on the proposed committee should be more balanced between the Administration, the Legislature and the Superintendent of Public Instruction. In addition, the size and makeup of the committee is unknown, but potentially overly large due to the inclusion of a potentially unlimited number of representatives from various public groups.

The California Longitudinal Pupil Achievement Data System (Calpads), upon implementation, will track individual student enrollment history and student academic performance as well as data over time. System goals pursuant to Chapter 1002, Statutes of 2002, are to provide school districts and the SDE data necessary to: (1) comply with federal No Child Left Behind reporting requirements; (2) provide a better means of evaluating educational progress and investments over time; (3) provide LEAs information that can be used to improve pupil achievement; and (4) provide an efficient, flexible, and secure means of maintaining longitudinal statewide pupil-level data.

Analyst/Principal (0333) M. Aguilera	Date	Program Budget Manager Jeannie Oropeza	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
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BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)

AUTHOR	AMENDMENT DATE
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Form DF-43
BILL NUMBER

D. Perata

June 25, 2008

SB 1592

Current law provides for the electronic transfer of student records between LEAs through the State Reporting and Records Transfer System, which is a part of the California School Information Services program. It is our understanding that this functionality will not be impaired as a result of Calpads.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP							Fund
	RV	98	FC	2007-2008	FC	2008-2009	FC	2009-2010	Code
6110/Dept of Educ	SO	No		--	C	\$250	C	\$250	0001
6110/Dept of Educ	LA	Yes	Cost pressures in the low millions of dollars....					0001